

Town of Caledon
Office of the Integrity Commissioner

To: Mayor and Members of Council
From: John E. Fleming
Integrity Commissioner
Subject: **Annual Report (2019)**

BACKGROUND

It has been my honour to have served as Caledon's Integrity Commissioner (IC) since the Council first put a Code of Conduct in place in late 2010, followed by my appointment in early 2011. The Council elected in late 2018 chose to extend my appointment until the end of December, 2019, and as of December 17 has again extended my tenure as the Town's Integrity Commissioner until 2023.

I very much appreciate Council's confidence in my work, and look forward to working with the Council, and now its Designated Boards.

As in the past, the terms of appointment require me to report annually to Council summarizing the activities of the Office of the Integrity Commissioner during the calendar year. This Annual Report, then, marks nearly 9 years in this important and still evolving aspect of municipal governance. 2109 has been another active year.

This is my ninth such report, covering the period from January 1, 2019 to year end.

ACTIVITIES DURING THE YEAR

1. Inquiries and Investigations

As was the case in 2018, there were no new formal complaints filed with my office during the 2019 calendar year.

2. Requests for other services

By far, the most significant aspect of my engagement through 2019 has been working with staff, and later in the year with a Committee of Council, reviewing the changes in the municipal statutes in Ontario, specifically the Municipal Act and the Municipal Conflict of Interest Act, both of which required reconsideration of various aspects of Caledon's Code of Conduct. Together with some suggestions based on my experience with implementation of the Code over the past several years, the special Committee of Council brought forward a revised Code for approval by Council, which took place December 17. With those changes, Caledon's Code is now compliant with all aspects of the changes in the law, and the Town is well positioned to address the ethical conduct of both Council Members, and Members of the Town's Designated Boards. Work is already underway to schedule a series of updating and educating sessions with all Members affected by the Code.

2.1 Requests for advice

On occasion during the year, I am asked for advice by members of Council and on occasion by senior staff, regarding the Code of Conduct. Such requests have been relatively few in 2019. As I have received those very few requests, I have been advising those who have contacted me of the transition to the new 'rules', whereby such requests, and my response to them, are to be in writing.

Annually, I have stressed the importance attached to Members having their IC available for such advice, and I stress that once again. Your Integrity Commissioner is here, in the first instance, to avoid problems, and both education and advice are central to that proactive approach. It is important that Councillors, particularly those new to elected office, take advantage of this aspect of the ICs role.

As in the past, the source and nature of those requests, and the advice I provide, are held confidential between my office and the person making the request.

2.3 Education and Information

I had the opportunity to make a brief presentation to the General Committee at the time the report came forward outlining the changes to the Code of Conduct, and the role of the Integrity Commissioner.

I did participate in a comprehensive training and education session along with external legal counsel early in the term of the new Council, late in 2018. Given the focus of both my office and the Administration of the Town on bringing the Code up to date, no other sessions were scheduled during 2019.

As noted above, work is already underway to offer that training, early in the new year, and for the first time, all Members of the Designated Boards in Caledon will be asked to attend, since the newly revised Code of Conduct and the changes in the law apply to those Members as well.

2.4 Municipal Integrity Commissioners of Ontario (MICO)

I continue to attend the regular MICO meetings, this year in April and October. Our informal association of Integrity Commissioners has been active in considering the impact of the changes in the law, with particular emphasis on the role now given to Integrity Commissioners in Ontario concerning the Municipal Conflict of Interest Act.

2.5 Charting the way forward into 2020

As I write this Annual Report, I appreciate the fact that the Council has chosen to renew my appointment which will extend somewhat beyond the term of the current Council. I believe that the extension beyond the next election is a prudent decision, avoiding the potential for a period of time, following an election, during which Council might not have the benefit of the services of an Integrity Commissioner.

I look forward to working with the Council and the members of its Designated Boards over the months ahead.

Respectfully submitted,

John E. Fleming.

Integrity Commissioner

2019 - 2023